STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of TALISA MONIQUE DUGGER,[1] DALWAN CHAPMAN, JAVO'N ANTWAN CHAPMAN, DESHAWN JAMES DUGGER, and LATOSHA DUGGER, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TAWESTTA MONIQUE CHAPMAN, a/k/a TAWESTA MONIQUE CHAPMAN,

Respondent-Appellant,

and

HAROLD DUGGER,

Respondent.

UNPUBLISHED
October 24, 2006

No. 268680
Wayne Circuit Court
Family Division
LC No. 04-434203-NA

Before: Whitbeck, C.J., and Saad and Schuette, JJ.

PER CURIAM.

Respondent-appellant appeals a trial court order that terminated her parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g), (j), and (k)(i). We affirm.

The trial court did not clearly err when it found that the petitioner established by clear and convincing evidence the statutory grounds for termination of respondent-appellant's parental rights. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Protective

[1] It appears that the order terminating parental rights incorrectly listed the child's surname as "Dugges." Because the child's legal father is Harold Dugger, we have corrected the child's surname accordingly.

services provided Families First services in 2002 and 2003 because respondent-appellant had a learning disability and a chronic inability to provide proper housing and proper care for the children. The children were adjudicated temporary court wards in December 2004 because of conditions of homelessness, lack of proper medical, dental and educational care, and respondent-appellant's marijuana use.

For three months, respondent-appellant substantially complied with her treatment plan through Helping Unite Mothers and Children (HUMAC). However, she prematurely left the program in March 2005 and thus was unable to fully benefit from or receive housing assistance upon completion of the program. Thereafter, respondent-appellant substantially abandoned her children from March 2005 to February 2006 by failing to visit them or pursue reunification services and this led to her failure to bond with the youngest two children. The evidence clearly established subsections 19b(3)(a)(ii) and (k)(i) as grounds for termination of her parental rights.

Further, while respondent-appellant contacted her caseworker in August 2005 and resumed parenting classes one month before the termination hearing, she did not substantially comply with any of the requirements of her parent agency agreement and did not rectify the conditions of adjudication. In light of the fact that respondent-appellant had received services since 2002, allowing her additional time because of her intellectual limitations would not likely lead to her increased ability or desire to care for the children. There was no reasonable expectation that respondent-appellant would become able to provide proper care or a suitable home for the children within a reasonable time, and if they were returned to her they would suffer homelessness and lack of basic medical, dental and educational care. The evidence clearly established subsections 19b(3)(c)(i), (g) and (j) as grounds for termination of respondent-appellant's parental rights.

Moreover, the evidence did not show that termination of respondent-appellant's parental rights was clearly contrary to the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The children's return to respondent-appellant was not possible within the foreseeable future, and the evidence indicated that the two youngest children were not bonded to her. The two older girls desired to see respondent-appellant but did not want to reside with her, and the oldest son had relinquished hope of reunification. Termination afforded the children an opportunity for stability and proper care.

Affirmed.

/s/ William C. Whitbeck
/s/ Henry William Saad
/s/ Bill Schuette